

REMARKS

This response is submitted in response to the Office Action dated March 28, 2007.

Claims 1-2, 4-16, 18-19, and 21-57 were pending at the time the Office Action was issued. Claims 1, 16, 28, and 43 are amended. Claims 1-2, 4-16, 18-19, and 21-57 remain pending.

In the Office Action dated March 28, 2007, claims 1-2, 4-16, 18-19, and 21-57 were rejected under 35 U.S.C. § 103(a).

REJECTIONS UNDER 35 U.S.C. § 103(A)

Claims 1-2, 4-16, 18-19, and 21-57 were rejected under 35 U.S.C. § 102(a) as unpatentable over U.S. Patent No. 6,701,514 to Haswell et al. (hereinafter “Haswell”) in view of U.S. Patent 7,174,339 to Wucherer et al. (hereinafter “Wucherer”). Respectfully, applicants traverse the rejections, and submit that the claims are allowable over the references cited for the reasons explained in detail below.

In the interest of reducing the issues to be considered in this response, the following remarks focus principally on the patentability of independent claims 1, 16, 28, and 43. The patentability of each of the dependent claims is not necessarily separately addressed in detail. However, applicants’ decision not to discuss the differences between the cited art and each dependent claim should not be considered as an admission that applicants concur with the conclusions set forth in the Office Action that these dependent claims are not patentable over the disclosure in the cited references. Similarly, applicants’ decision not to discuss

differences between the prior art and every claim element, or every comment set forth in the Office Action, should not be considered as an admission that applicants concur with the interpretation and assertions presented in the Office Action regarding those claims. Indeed, applicants believe that all of the dependent claims patentably distinguish over the references cited. Moreover, a specific traverse of the rejection of each dependent claim is not required, since dependent claims are patentable for at least the same reasons as the independent claims from which the dependent claims ultimately depend.

Applicants respectfully assert that claims 1, 16, 28, and 43 are patentable over the reference cited. Haswell in combination with Wucherer fails to teach, let alone suggest, each of the elements recited by claims 1, 16, 28, and 43.

Claim 1, as amended, recites in part:

generating a master test plan document by extracting the plurality of verification activities from the test plan database and listing the plurality of verification activities in the master test plan document; and

generating a test plan document for a test by extracting at least one of the verification activities from the test plan database and listing at least one of the verification activities in the test plan document for the test.

Claim 16, as amended, recites in part:

generating a master test plan document by extracting the plurality of verification activities stored in the test plan database and inserting the plurality of verification activities in the master test plan document; and

generating a test plan document for a test by extracting at least one of the verification activities from the test plan database and listing at least one of the verification activities in the test plan document for the test.

Claim 28, as amended, recites in part:

fifth computer program code means for generating a master test plan document by extracting the plurality of verification activities from the test plan database and listing the plurality of the verification activities stored in the test plan database and for generating a test plan document for a

test by extracting at least one of the verification activities from the test plan database and listing at least one of the verification activities in the test plan document for the test.

Claim 43, as amended, recites in part:

a test plan generator configured to generate a master test plan document by extracting the plurality of verification activities from the test plan database and listing the plurality of the verification activities stored in the test plan database and configured to generate a test plan document for a test by extracting at least one of the verification activities from the test plan database and listing at least one of the verification activities in the test plan document for the test; ...

The Office Action asserts on page 4 that Haswell teaches at col. 14, line 47-49 and 54-58; col. 53, line 1-5; col. 59, lines 50-64 and col 73, lines 1-8 “generating a test plan document by extracting at least one of the verification activities stored from the test plan data base and listing at least one of the verification activities in the test plan document, as a development and a creation of test scripts/test scenarios and a system validation by following the test plan.”

Haswell at col. 14, lines 47-62 states:

FIG. 41 illustrates the application & architecture In one aspect of the present invention, the test script information relates to at least one of either steps and/or actions. The test scenarios are typically data-driven. In addition, the test scenarios may be developed using an English-based interface. As an option, the interface may be accessed utilizing a network. Also optionally, the architecture is a two-tier architecture.

The table-driven architecture inherent within the present invention is what makes it such a unique innovation. This feature provides benefits such as simplified test script development and maintenance, inherent GUI testing Best Practices, and reduced training time via English-based GUI interface. The table-driven architecture further allows the capability to quickly load data, flexible test cycle planning, real-time and statistical test status reporting, and essentially 100% test script execution accuracy.

Haswell at col. 52, line 63 – col. 53, line 6 states:

In this phase 2314, the most appropriate person, whether it is the requester or a user who may be directly affected by the change, may assume the role of the test administrator. The administrator tests the change request to ensure that it meets the original business need. In some cases, the developer may actually

run the test plans that the test administrator creates, and the test administrator may validate the test results. Once the test administrator agrees that the change satisfies all the test criteria, the developer needs to check the user acceptance test sign-off box in the Change Tracking Tool.

Haswell at col. 59, lines 50-64 states:

System test team reviews user requirements and prepares validation or test plan. See FIG. 28, which illustrates a system test 2800 for existing systems. Database modifications are fetched from source code control 2802 and applied to the system test environment 2804. The Source Code Librarian fetches the new application, builds it and copies it into the system test environment. A validation or test plan is executed pass/fail/deviation. The system test team 2806 signs the change control portion of the present description.

Deliverables from this stage might include:

Completed validation or test plan with pass/fail/deviation information.

CM Deliverables from this stage include:

A change control record with system test information.

Haswell at col. 73, lines 1-8col. 53, line 6 states:

The test planning function during a ReTA engagement provides an opportunity to define the approaches, tools, environments and process to test the application and its individual components for functional and technical validation. This process is typically assigned to someone with experience in application development using similar technologies as those to be used on the new system.

These sections of Haswell, however, fail to teach and/or suggest both the “master test plan document” and the “test plan document” as recited in independent claims 1, 16, 28, and 43. Consequently, Haswell also fails to disclose and/or suggest all of the elements of dependent claims 2, 4-15, 18, 19, 21-27, 29-42, and 44-57 which depend either directly or indirectly from on of claims 1, 16, 28, and 43. Accordingly, Applicant respectfully, requests reconsideration and

withdrawal of the rejection of claims 1, 2, 4-16, 18, 19, and 21-57 under 35 U.S.C. 35 U.S.C. § 102(b).

CONCLUSION

Applicants respectfully submit that Claims 1-2, 4-16, 18-19 and 21-57 are in condition for allowance. Applicants respectfully request entry of the amendment, as well as consideration and prompt allowance of the claims. If any issue remains unresolved that would prevent allowance of this case, the Examiner is requested to contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

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